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United States of America  
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IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA,  
12 Plaintiff,  
13 v.  
14 JUAN PICASO,  
15 Defendant.

CASE NO. 2:22-cr-00162-JAM

**STIPULATION REGARDING EXCLUDABLE  
TIME PERIODS UNDER SPEEDY TRIAL ACT;  
FINDINGS AND ORDER**

DATE: May 16, 2023  
TIME: 9:30 a.m.  
COURT: Hon. John A. Mendez

17 **STIPULATION**

18 Plaintiff United States of America, by and through its counsel of record, and defendant, by and  
19 through defendant's counsel of record, hereby stipulate as follows:

20 1. By previous order, this matter was set for status on May 16, 2023.

21 2. By this stipulation, defendant now moves to continue the status conference until **June 27,**  
22 **2023, at 09:00 a.m.**, and to exclude time between May 16, 2023, and June 27, 2023, under Local Code  
23 T4.

24 3. The parties agree and stipulate, and request that the Court find the following:

25 a) The government has represented that the discovery associated with this case  
26 includes multiple reports, dozens of Spanish recordings, and photographs. The government  
27 produced initial discovery on September 30, 2022, and after obtaining a protective order,  
28 produced the Spanish recordings on October 19, 2022.

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b) Counsel for defendant desires additional time to review discovery, meet with his client, conduct independent factual investigation, and otherwise prepare for trial.

c) Counsel for defendant believes that failure to grant the above-requested continuance would deny him the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

d) The government does not object to the continuance.

e) Based on the above-stated findings, the ends of justice served by continuing the case as requested outweigh the interest of the public and the defendant in a trial within the original date prescribed by the Speedy Trial Act.

f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the time period of May 16, 2023 to June 27, 2023, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4] because it results from a continuance granted by the Court at defendant's request on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.

4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

## IT IS SO STIPULATED.

Dated: May 10, 2023

PHILLIP A. TALBERT  
United States Attorney

/s/ EMILY G. SAUVAGEAU  
EMILY G. SAUVAGEAU  
Assistant United States Attorney

Dated: May 10, 2023

/s/ Timote Tuitavuki  
Timote Tuitavuki  
Counsel for Defendant  
**JUAN PICASO**

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2                   **FINDINGS AND ORDER**  
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5                   IT IS SO FOUND AND ORDERED.  
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8                   Dated: May 10, 2023  
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10                  /s/ John A. Mendez  
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12                  THE HONORABLE JOHN A. MENDEZ  
13                  SENIOR UNITED STATES DISTRICT JUDGE  
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